

Issued by the  
**UNITED STATES DISTRICT COURT**  
**SOUTHER DISTRICT OF NEW YORK**

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NEW YUEN FAT GARMENTS FACTORY LIMITED.,

Plaintiffs,

-against-

AUGUST SILK, INC., and DIRECT APPAREL  
SOURCING, INC.,

Defendants.

CASE NO.: 07 CIV 8304  
(JFK) (FM)

**SUBPOENA IN A  
CIVIL CASE**

-----X  
**TO:** MICHAEL FASS  
525 East 72<sup>nd</sup> Street Ste. # 17E  
New York, New York 10021

[X] YOU ARE COMMANDED to appear at the place, date and time specified below to testify at the taking of a deposition in the above case, at the offices of Yuen Roccanova Seltzer & Sverd LLP, counsel for plaintiffs in the above-captioned action, located at 132 Nassau Street, New York, NY 10038, on Thursday, April 22, 2008 at 10:00 a.m., and each successive day thereafter until said depositions are complete:

[X] YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place date, and time specified below

1. Duplicate original copies of any and all photographs, films or videotapes which depict or purport to depict the garments that were manufactured, delivered, or designed by New Yuen Fat Garments Limited ("NYF") and/or Nikita Inc. ("Nikita") at the direction, behest, or request of Direct Apparel Sourcing, Inc., for the purpose of fulfilling orders, samples, and/or inspection by August Silk Inc. ("August") from between 2002 to the present.

2. Any all written communications between Direct and Nikita, and/ or Direct and NYF pertaining to the ordering, manufacture, preparation, shipment, receipt, distribution, of apparel from the time period of 2002 through to the present.

3. Any all written communications between Direct and August pertaining to the ordering, manufacture, preparation, shipment, receipt, distribution, of apparel from the time period of 2002 through to the present, that was manufactured, prepared, shipped, or otherwise delivered by NYF and/or Nikita.

4. Copies of any and all checks, wire transfers, cash receipts, or other consideration received by Direct, from the time period of 2002 through to the present, that were generated, paid or transacted as the result of the manufacture, preparation, shipment, or delivery of apparel /garments/ samples by NYF and/or Nikita to August and/ or Direct.

6. Copies of any and all checks, wire transfers, cash receipts, or other consideration paid by Direct to NYF and/or Nikita from whatever time period, that were paid in connection with the apparel manufactured, prepared, shipped and/or delivered by Nikita and/or NYF to August/ and or Direct.

7. Copies of any and all checks, wire transfers, cash receipts, or other consideration sent or delivered by Direct to August, from the time period of 2002 through to the present that were generated, paid or transacted as the result of the manufacture, preparation, shipment, or delivery of apparel /garments/ samples by NYF and/or Nikita to August and/ or Direct.

8. Copies of notes, memoranda, papers or correspondence pertaining to the scheduling, or the sum and substance of meetings, interviews, phone conferences, phone conversations, between either Direct, August, Nikita, NYF that touch and concern the sum and substance of the manufacture, preparation, shipment, or delivery of apparel /garments/ samples by NYF and/or Nikita to August and/ or Direct.

Failure to comply with this subpoena is deemed as a contempt of court and you shall be liable for all damages sustained to the party aggrieved thereby and to forfeit \$50.00 in addition thereto.

Dated: New York, New York  
April 15, 2008

**YUEN ROCCANOVA SELTZER & SVERD LLP**

By: 

Peter E. Sverd

Counsel for Plaintiff

132 Nassau Street, Suite 1300

New York, New York 10038

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